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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X	
CHAMILIA, LLC,	:
	:
Plaintiff,	:
	:
-against-	:
	:
PANDORA JEWELRY, LLC,	:
	:
	:
Defendant.	:
-----X	

Civil Action No.:
04 CV 06017 (KMK)

ECF CASE

**SUPPLEMENTAL DECLARATION OF GIANFRANCO G. MITRIONE
IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

GIANFRANCO G. MITRIONE, does hereby declare:

1. I am an associate with the firm of Lathrop & Gage L.C., attorneys for Defendant, Pandora Jewelry, LLC. I am admitted to practice law in the State of New York. I am familiar with all the facts and circumstances in this proceeding.
2. I submit this supplemental declaration pursuant to Rule 56 of the Federal Rules of Civil Procedure in support of defendant's motion for summary judgment.
3. On January 25, 2004 defendant timely served upon plaintiff's counsel responses to plaintiff's First Set of Interrogatories and First Request for Production of Documents.

4. On January 25, 2005 defendant responded to plaintiff's counsel's letter dated January 14, 2005 accommodating plaintiff's request to depose defendant's witnesses identified in its Rule 26(a) disclosures. A copy of the January 25, 2005 letter is attached hereto as Exhibit 1.

I DECLARE under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 28, 2005

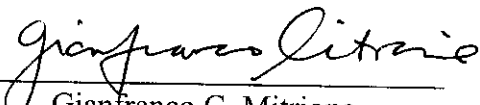

Gianfranco G. Mitrone

EXHIBIT 1

**LATHROP
GAGE**

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January 25, 2005

BY FACSIMILE

James G. Goggin, Esq.
Verrill Dana LLP
One Portland Square
Portland, Maine 04112-0586

Re: Chamilia, LLC v. Pandora Jewelry, LLC
Docket No. 04-CV-06017

Dear Mr. Goggin:

I have your letter of January 14, 2005 in which you ask about the availability of employees of Pandora or persons "subject to Pandora's control." In this regard, we were very surprised to learn that your January 14 letter appeared and was referenced in Chamilia's January 21, 2005 opposition to Pandora's motion for summary judgment in view of the fact that the dates proposed by you for the depositions would not take place until after the return date of Pandora's motion. Please be advised that we intend to provide the Court with a copy of this letter advising that we are accommodating your request.

In your letter, you seek to schedule the depositions of Michael Lund Petersen, Knud Hostrup, Steve Glueck and Jody Henderson for either the week of February 14 or

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James G. Goggin, Esq.
January 25, 2005
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28, 2005. Please be advised that I have a trial starting on February 7, 2005 in U.S. District Court, N.D.N.Y. The case will take until the week of February 28, 2005. Please let me know when in March you would be available to schedule depositions. We will make Mr. Petersen available in New York at our offices but the depositions of Mr. Hostrup, Mr. Glueck and Ms. Henderson will take place in their respective cities, namely, Miami, Los Angeles and Chicago. When you agree upon dates and times, I request that a formal deposition notice and subpoena, if necessary, be served.

As I explained to you, any deposition of Mr. Petersen and Mr. Hostrup will require the use of the Danish language.

I suggest that we speak later this week to discuss the arrangements we have set forth in our correspondence.

Very truly yours,

LATHROP & GAGE L.C.

By: 

William R. Hansen

:dsg